

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 04-2235

KOYO VICTORIEN WAWA; GOUHOUNOU EMMA WAWA,
a/k/a Emma Gouhounou Wawa,

Petitioners,

versus

ALBERTO R. GONZALES, Attorney General,

Respondent.

On Petition for Review of an Order of the Board of Immigration
Appeals. (A-70-504-283)

Submitted: May 27, 2005

Decided: June 24, 2005

Before NIEMEYER, MICHAEL, and GREGORY, Circuit Judges.

Petition denied by unpublished per curiam opinion.

Randall L. Johnson, JOHNSON & ASSOCIATES, P.C., Arlington,
Virginia, for Petitioners. Peter D. Keisler, Assistant Attorney
General, M. Jocelyn Lopez Wright, Steven Miskinis, UNITED STATES
DEPARTMENT OF JUSTICE, Washington, D.C., for Respondent.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Koyo Victorien Wawa and Gouhounou Emma Wawa are natives and citizens of the Ivory Coast. They seek review of an order of the Board of Immigration Appeals (Board) denying their second motion to reopen, filed pursuant to 8 C.F.R. § 1003.2(c)(3)(ii) (2005); see 8 U.S.C. § 1229a(c)(6)(C)(ii) (2000). The Wawas' petition for review is timely only as to the Board's September 3, 2004 order denying reopening. 8 U.S.C. § 1252(b)(1) (2000) (petition for review must be filed within thirty days of final order of removal); see Stone v. INS, 514 U.S. 386, 394-95 (1995) (holding order of removal and denial of motion to reconsider are separate final orders, each subject to relevant time limit for seeking review).

We have reviewed the record and the Board's order and find that the Board did not abuse its discretion in denying the motion to reopen. See 8 C.F.R. § 1003.2(a) (2005). Therefore, we deny the petition for review. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

PETITION DENIED